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General and complete disarmament

Confidence-building measures in the regional and subregional context

Report of the Secretary-General

Contents

		Page
I.	Introduction	2
II.	Replies received from Governments	2
	Albania	2
	Cuba	4
	Kazakhstan	5
	Portugal	6
	Saudi Arabia	6
	Spain	7
	Ukraine	8

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I. Introduction

1. In its resolution 70/42, the General Assembly reaffirmed the ways and means regarding confidence- and security-building measures set out in the report of the Disarmament Commission on its 1993 session, and called upon Member States to pursue those ways and means through sustained consultations and dialogue, while at the same time avoiding actions that may hinder or impair such a dialogue. Furthermore, the General Assembly urged States to comply strictly with all bilateral, regional and international agreements, including arms control and disarmament agreements, to which they were party. The Assembly emphasized that the objective of confidence-building measures should be to help to strengthen international peace and security and to be consistent with the principle of undiminished security at the lowest level of armaments, and encouraged the promotion of bilateral and regional confidence-building measures, with the consent and participation of the parties concerned, to avoid conflict and prevent the unintended and accidental outbreak of hostilities. The General Assembly requested the Secretary-General to submit a report to the Assembly at its seventy-first session containing the views of Member States on confidence-building measures in the regional and subregional context. The present report is submitted pursuant to that request.

2. A note verbale was sent on 9 February 2016 to all Member States requesting their views. To date, replies from the Governments of Albania, Cuba, Kazakhstan, Portugal, Saudi Arabia, Spain, and Ukraine have been received and are reproduced in section II below. Additional replies will be issued as addenda to the present report.

II. Replies received from Member States

Albania

[Original: English]
[11 June 2016]

The Republic of Albania is continuously working towards the effective implementation of all its international obligations, including the implementation of provisions contained in international treaties and conventions. The Albanian Armed Forces support the Albanian Government in international arms control negotiations, and implements international treaties and agreements that Albania is part of.

Concerning non-proliferation of weapons of mass destruction and disarmament, Albania has continued to align its positions with those of the European Union, and the Organization for Security and Cooperation in Europe (OSCE) in international organizations dealing with these issues. Currently the Albanian authorities remain committed to the sustained implementation of Security Council resolution 1540 (2004).

The Albanian State Export Control Authority has the responsibility for managing the international transfer control of dual use goods and military items. Albania does not produce, store or transport nuclear, biological, chemical weapons or similar devices.

As a part of agreements such as the Small Arms Light Weapons regional Implementation Plan, the United Nations Programme of Action on Small Arms and Light Weapons, the OSCE documents on small arms and light weapons and ammunition stockpiles, Albania has made substantial commitments towards responsible international arms transfer control.

Albania regularly reports in conformity with its obligations as a State party to the United Nations conventions on disarmament issues and also in respect of its commitments regarding agreed confidence and security-building measures as a member of OSCE.

Albania reports on its military holdings and national procurement of the following categories on a yearly basis: small arms and light weapons, and on the import-export and quantity of small arms that have been identified as surplus, and/or seized and destroyed on its territory during the previous calendar year.

Treaties, agreements and documents on arms control, disarmament and confidence and security-building measures constitute an essential pillar of Europe's current security architecture. The faithful observation of the provisions contained therein and the implementation of existing commitments in the spirit of transparency and cooperation — as a tangible contribution to Europe's indivisible and cooperative security system is ensured in close cooperation by appropriate state structures, in particular by the Ministry of Foreign Affairs and Ministry of Defence.

The Albanian arms control and disarmament policy is based on the principle of undiminished security at the lowest possible level of armament. The Republic of Albania is continuously working towards the effective implementation of all international obligations, including the implementation of international treaties and conventions.

The Republic of Albania fully complies with the commitments and the spirit of the Code of Conduct on Politico-Military Aspects of Security. This unique document represents a landmark in security sector governance by obliging participating States to provide for democratic oversight of their armed, internal, paramilitary, intelligence and police forces. The code of conduct also includes key principles on relations between States obliged to ensure that their armed forces remain politically neutral and to guarantee that the human rights of security personnel are respected. In accordance with this document Albania reports back on national practices annually, helping to build confidence and Security in the OSCE region.

The 2011 Vienna Document enhances several confidence- and security-building measures through the annual exchange of military information which requires the exchange of detailed information on conventional armaments/ equipment and military personnel. In addition defence planning measures require members to improve transparency regarding the size, structure, training and equipment of their armed forces.

Furthermore, the Republic of Albania has already fulfilled all legal obligations stemming from the conventions on chemical weapons, cluster ammunitions and prohibition of anti-personnel mines. With respect to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, Albania has fulfilled all necessary obligations.

Albania exchanges all data concerning all arms control agreements with members of OSCE, including the provisions of chapter IX of the Vienna Document (compliance and verification) on inspections and evaluation visits, thereby demonstrating goodwill for cooperation, transparency and openness among countries in the region and subregional area.

Cuba

[Original: Spanish]
[25 April 2015]

Cuba supports the guidelines for confidence-building measures adopted by consensus in 1988 by the Disarmament Commission of the General Assembly. The guidelines state, among other things, that confidence-building is "a step-by-step process of taking all concrete and effective measures which express political commitments and are of military significance and which are designed to make progress in strengthening confidence and security to lessen tension and assist in arms limitation and disarmament".

Confidence-building measures must be designed to promote understanding, transparency and cooperation among States. If used appropriately, such measures could help to maintain international peace and security, and therefore need to be expanded and enhanced. Appropriate implementation of confidence-building measures can help to avoid armed conflict, prevent the unintended and accidental outbreak of hostilities and contribute to regional stability.

Confidence-building must be undertaken in full compliance with the principles and purposes of the Charter of the United Nations and the consent and participation of all the parties concerned. Observance of the norms and principles of international law and the Charter of the United Nations, peaceful settlement of disputes, respect for the sovereignty of States and non-intervention in their internal affairs are all indispensable elements for effective confidence-building.

On the other hand, violation of international law, persistent threat or use of force as a coercive measure or as a way of resolving conflicts, and interference in the internal affairs of States are all actions which can undermine confidence and set a negative precedent for the implementation of confidence-building measures. The economic and military disparity between developed and developing countries can also diminish the confidence needed for the effectiveness of such measures.

Because they are voluntary in nature, confidence-building measures cannot be imposed. To be truly effective, such measures must take into account the specific circumstances of each country, region or subregion.

Latin America and the Caribbean have contributed to the establishment of a favourable climate for the development of confidence-building measures in the region, and along with extra-regional actors, to the declaration of the region as a peace zone, at the second Summit of the Community of Latin American and Caribbean States, held in Havana, Cuba. That declaration translates the region's commitment to preventing war and to settling regional conflicts by peaceful means.

Kazakhstan

[Original: English]
[31 May 2016]

Kazakhstan is fully committed to promote confidence-building measures in the regional and subregional context.

Kazakhstan is committed to implementing Security Council resolution 1540 (2004), and has hosted two training workshops. The first was in 2011 and the second in March 2014 on the occasion of the tenth anniversary of the adoption of the resolution, on the theme "The contribution of United Nations Security Council resolution 1540 (2004) to regional and global disarmament and non-proliferation".

Some 28 States from Africa, Asia, Europe, the Middle East and North America, as well as several international, regional and subregional organizations focused on preventing non-State actors from developing, acquiring, manufacturing, possessing, transporting, transferring or using nuclear, chemical or biological weapons and their means of delivery. Necessary legislation and effective measures for establishing control over related materials, as well as optimal outreach and cooperation with relevant international, regional and subregional organizations, civil society and industry, were discussed.

The experience with resolution 1540 (2004) was used to similarly enforce other multilateral treaties to eliminate or prevent proliferation of nuclear, chemical or biological weapons, as well as other treaties related to conventional weapons. Kazakhstan has also held platforms to encourage transparency, openness and mutual confidence among various actors.

Kazakhstan fully supports the United Nations Register of Conventional Arms, as it constitutes an important step forward in promoting transparency in political-military matters, which in turn contributes greatly to confidence-building and security among States. By our example, we encourage others to provide data on their import and export of arms, their military holdings and procurement through national production and relevant policies.

In 1992, Kazakhstan established the Conference on Interaction and Confidence-Building Measures in Asia, which today is very active, comprising 26 States of the continent. The Conference has a catalogue of confidence-building measures to ensure lasting stability and mutual trust, such as information-sharing on components of armed forces; defence budgets; presence of foreign military contingents on territories of member States; notification of planned military activities, including exercises, inviting observers to military exercises; consultations on likely unexpected and hazardous military nature. There are also mutual visits by senior military authorities, mutual participation in national holidays, cultural and sports events. Conference members exchange information on the status of their accession to or ratification of multilateral instruments on arms control and disarmament, and conventions on outer space.

Thus Kazakhstan continues to contribute to subregional, regional and global security by taking measures to enhance confidence-building measures.

Portugal

[Original: English]
[31 May 2016]

Portugal considers that confidence-building measures are a key element to the improvement and reinforcement of peace and security, a major input to regional stability, and an important way to prevent conflicts, at an international, regional and subregional level.

In this context, Portugal publishes an annual report on international trade and intermediation of defence products. Portugal also collects national data on export of conventional weapons, which it submits to the European Union for its annual report, and also reports to the United Nations, the Organization for Security and Cooperation in Europe and the Wassenaar Arrangement. In 2014 Portugal was one of the first 50 countries to ratify the Arms Trade Treaty, and plays an active part on the promotion of its universalization. Portugal also reports on confidence-building measures within the Biological and Toxin Weapons Convention process.

Furthermore, Portugal publishes annually its military budget, which is available to non-governmental organizations and think tanks, and fully cooperates with the requests that are presented in this context.

Finally, with respect to the export of weapons, Portugal implements a strict national legislation and fully complies with the European Union Council Common Position 2008/944/CFSP, which sets forth common rules to all member States. Those rules include the respect for international and regional embargoes, regional stability and especially human rights.

Saudi Arabia

[Original: Arabic]
[14 June 2016]

Saudi Arabia supports United Nations confidence-building efforts at the regional and subregional levels, in order to establish peace and security in every region of the world. It has supported all General Assembly resolutions on establishing international peace and security, the peaceful resolution of conflicts and confidence-building measures at all levels. Saudi Arabia affirms its commitment to the peaceful resolution of conflicts, in accordance with Chapter VI of the Charter of the United Nations.

Saudi Arabia complies with all Security Council resolutions, international law and international and bilateral instruments, whether in the context of international organizations or otherwise. In view of the foregoing, and owing to the threat posed by internationally prohibited weapons, Saudi Arabia was one of the first States to sign the first international disarmament instrument, namely, the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare (17 June 1925), which is the basis for the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction and the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction. The country is a party to many international instruments and initiatives concerning conventional weapons, weapons

of mass destruction, non-proliferation and counter-terrorism, and participates in international efforts to prohibit the trade in small and light weapons, with a view to building confidence, promoting cooperation and establishing peace and security in the region and around the world. Following are some of those instruments:

(a) The Biological Weapons Convention

(b) The Chemical Weapons Convention

(c) The Treaty on the Non-Proliferation of Nuclear Weapons

(d) The Comprehensive Nuclear-Test-Ban Treaty

(e) The Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects

Saudi Arabia is a party to military agreements aimed at establishing security and peace in the region. It has concluded such agreements with many States in the region and beyond, including the States of the Gulf Cooperation Council, the United States of America, Great Britain and other friendly countries. The Saudi Arabian Government provides the armed forces with weapons and materiel of sufficient quality and quantity for the purpose of defending the country's territory, not for attacking other States. Saudi Arabia is one the largest contributors to the Office of the United Nations High Commissioner for Refugees and the mine-clearance programme.

Achieving the universality of the Non-Proliferation Treaty is of vital importance to confidence-building efforts. To that end, Israel should accede to the Treaty and subject all of its nuclear installations to international monitoring in accordance with the comprehensive safeguards regime of the International Atomic Energy Agency. In addition, regional nuclear-weapon-free zones must be created. Accordingly, a treaty must be concluded that would make the Middle East region a nuclear-weapon-free zone, just as is the case with other such zones around the world and similar treaties, such as the Treaty of Pelindaba of 1996 (Africa) and the Treaty of Bangkok (South-East Asia). It is imperative for multilateral international efforts to continue to focus on the perils of the proliferation of nuclear weapons and other weapons of mass destruction. We must rid the world of such lethal weapons by complying with the resolutions adopted and the international laws established by the competent bodies and organizations.

Spain

[Original: Spanish]
[1 June 2016]

The ultimate goal of a regime for arms control or of confidence- and security-building measures should be conflict prevention by reducing the danger of misperceptions or miscalculations with regard to the military activities of other States; by implementing measures to make covert military preparations more difficult; and by reducing the risk of surprise attacks or the accidental eruption of hostilities.

From that perspective, confidence- and security-building measures within a regional or subregional context are of great value as a form of prevention

specifically adapted to that context, given that they involve a smaller number of participants and can therefore be more stringent and thus more effective. All of the foregoing makes such measures easier to adopt and implement.

Within its own regional sphere, Spain has actively participated in all relevant initiatives; it is a party to the Treaty on Open Skies and the Treaty on Conventional Armed Forces in Europe, which include a set of legally binding measures and, as a member of the Organization for Security and Cooperation in Europe (OSCE), it is politically bound through the measures contained in the Vienna Document on Confidence- and Security-Building Measures (which was updated in 2011 with the aim of improving and broadening its implementation), as well as by other OSCE documents. Moreover, Spain has contributed to the implementation of the regional stabilization agreements established by annex 1-B to the Dayton Agreement for the former Yugoslavia.

A fundamental and key element for the performance of verification activities in connection with disarmament and Spain's security- and confidence-building measures abroad is the Spanish Verification Unit, a defence agency established in 1991 and responsible for the detailed planning and performance of said activities.

Ukraine

[Original: English]
[20 April 2016]

Ukraine's consistent commitment to strengthening confidence and derivative security for all, including through effective confidence-building measures, remains unchanged. Moreover, it has been reinforced by Russia's aggression. Based on this, Ukraine fully shares the vision and recognizes the importance of confidence-building measures laid down in General Assembly resolution 70/42 and its other resolutions on confidence-building measures in the regional and subregional context.

Ukraine continues to support all respective region-wide OSCE-wide, subregional and bilateral confidence-building measures, has been actively participating in the modernization of the OSCE Vienna Document on Confidence- and Security-Building Measures, and advocates expanding the scope of their application. In addition, in the light of Russia's hybrid war against our country, Ukraine favours tightening the intrusiveness of these measures, including through lowering the thresholds for notification and observation of military exercises, which, as is known, are often used as means of intimidation and preparation for direct military aggression, especially against neighbouring States. Ukraine also favours an increase in the number of inspections and the composition of inspection teams, strengthening of risk-reduction mechanisms, including through the use of fact-finding missions, and constant assessment of the efficiency of instruments used for confidence-building measures, including from the perspective of their applicability, usefulness and viability during armed conflict, in order to preclude a repeat of Ukraine's tragic case anywhere else.

Ukraine attaches great importance to bilateral confidence-building measures with neighbouring countries in border areas. To date, Ukraine has entered into relevant bilateral agreements with the Republic of Poland, Hungary, the Slovak Republic, the Republic of Belarus, and Romania. Conducting inspections on a parity basis pursuant to these agreements confirmed their practical usefulness for

maintaining and deepening of trust, friendly relations and military-political cooperation between involved countries in the interest of enhancing and complementing the European confidence- and security-building process. Starting in 2016, such inspections will begin with Romania as well.

Noteworthy features of these bilateral confidence-building measure regimes, which may be borrowed by others in the design or improvement of confidence-building measures are: the observation of military activities starting from the tactical level; prohibition of conducting military exercises on a battalion level and above at a distance of 10 to 20 kilometres from the border; application of confidence-building measures near the border not only to activities of armed forces, but also other power bodies; possibility of extending inspections for an additional period of time and their expansion to battalion-level units.

Regrettably, Ukraine's former numerous proposals to enter into a similar agreement with Russia were rejected by the Russian side. It is also regrettable that Russia has put into an ongoing state of impasse such subregional military cooperation and confidence-building arrangements of the littoral States of the Black Sea, such as the Black Sea Naval Cooperation Task Group and confidence and security-building measures in the naval field in the Black Sea.

Notwithstanding the deteriorated security situation in the OSCE area caused by the behaviour of the current Kremlin leadership, Ukraine believes that the experience gained in the OSCE area with the development of confidence-building measures deserves appropriate attention and, accordingly, that the Vienna Document that has generated a great deal of experience in the field of confidence-building can serve as a viable example for similar arrangements in other world regions.